

Improvement Res. No. 986-1959

For the Opening of a circular cut-off to
be used for street purposes from Lot
No. 29, J. H. Vesey's 3rd Addition.

Resolution Adopted:

NOT ADOPTED

Confirmed:

ALL ACTION RESCINDED
NOV. 19, 1959

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

For the ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ of a circular cut-off to be used for street purposes from Lot No. 29, J.H. Vesey's 3rd. Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a circular cut-off to be used for street purposes from Lot No. 29, J.H. Vesey's 3rd. Addition, more particularly described as follows:

(See Attached Sheet)

All as shown by a plan of such proposed ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana. The opening of said street right-of-way is to be made by condemning and appropriating for street purposes the property described above.

The cost of said ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot No. 29, J.H. Vesey's 3rd. Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described opening are situated in the southwest quarter of Section Twenty-five, Township 31 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS _____ DAY OF _____ 19 _____

Attest:

Secretary Board of Public Works.

Board of Public Works.

Bo 39-1960

February 19, 1960

Edward Green City Engineer

Board Order 183-1958

986

where are folders?

This refers to the Petition to vacate Canal Terrace from the south property line of Dalgren Avenue to the south property line of the first alley south of Dalgren Avenue, except a circular portion at the north end, and also the opening of a circular cut-off to be used for street purposes, from Lot No. 29, J.H. Veseys Third Addition.

Declaratory Resolutions were prepared on the afore mentioned with numbers assigned 985 and 986 respectively. Said Resolutions were never adopted. The writer checked with both Cooper and Darling of the previous Board, and they have no explanation as to why the Resolutions were never adopted and completed. In as much as it was the recommendation of the Engineering Department, and since all survey work has been accomplished, the present Board deems it necessary to proceed with the improvement; and ask you to re-submit the necessary documents. The foregoing is a request from the petitioner.

BOARD OF PUBLIC WORKS

Kenneth McGraw
Kenneth McGraw, Clerk

KM:es.
CC:Mayor

P. O. 183-A-'58

41-125-15

Nov. 19, 1959

City Engineer

Dec. 986-1959 Opening J. H. Vesey's 3rd Add.

ALL ACTION RESCINDED.

John Cooper

Berkeley Ward

Orin M. Darling

BOARD OF PUBLIC WORKS

ic

SUBJECT: Dec. Res. Nos. 985-59 and ~~986-59~~
BO 183-58 and 183-A -58

March 25, 1959

TO: City Engineer - Attention: Mr. Floyd Brown

Herewith enclosed is Declaratory Resolution No. 985 for the vacation of Canal Terrace; also Declaratory Resolution No. 986 for opening of Vesey's 3rd Addition, and the complete files pertaining to both Resolutions. The recommendation has been made that a cul-de-sac be established at the east end of Dalgren Avenue, using the property known as Canal Terrace. You will note that in order to establish a cul-de-sac, it will be necessary to obtain the northeast corner of Lot 29, J. H. Vesey's Addition. South of Dalgren Avenue there appears to be a 12' alley, dead ending at the east property line of Lot 29. The Board questions the advisability of vacating Canal Terrace from Dalgren Avenue to the first alley south of Dalgren Avenue and not providing an exit at the east end of the alley. It will be necessary to establish a cul-de-sac in Canal Terrace for the alley, or, extend the alley to the east right-of-way line of Canal Terrace, thence northerly to the proposed cul-de-sac at the end of Dalgren Avenue.

Please prepare the necessary documents to either provide a cul-de-sac at the alley end, or, to retain sufficient property from Canal Terrace to connect the alley with Dalgren Avenue. You will note on the attached plan, marked in red, that either plan will be given the Board's consideration before Canal Terrace will be vacated.

BOARD OF PUBLIC WORKS

J. L. Hallett
J. L. Hallett, Adm. Asst.
JLH:jc
Encl: Resolutions

This Res. was

TVA in meeting?

3-20-59 (not adopted)

Date 3-18-59 *3-20*

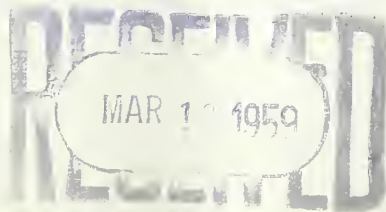
To: Board Of Public Works

Subject: Board Order 183-58

The attached resolution, drawing and property ownership list is the one referred to in our reply on Board Order No. 183-58, dated May 1, 1958, and provides for the opening of a circular cut-off to be used for street purposes from Lot No. 29, J. H. Vesey's Addition.

*711R 40-82 Stone 586
Taken Under Agreement*

Edward Green
Edward Green
City & Adm. Engr.



To L.W. Hallitt,
adm. Sec Board of Public Works

Subject: - Dec. Res. 986

Dalgren ave. right of Way is now open to the west property line of Swanson Blvd, therefore if Dalgren^{ave} is given access to Swanson Blvd. we do not need the piece of ground covered under this Resolution.

on the other hand if we intend to limit this access we will need this piece of property in order to construct a Culvert - Box.

The Boards desires in this matter will determine the procedure on this Resolution.

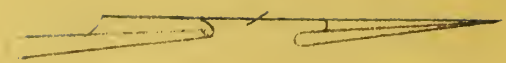
Subject 1: - Dec. Res. 985.

in as much as Canal Terrace is vacated from the no property line of Dalgren ave to Penn. place, the portion of Canal Terrace in question. would be of no real value to the City.

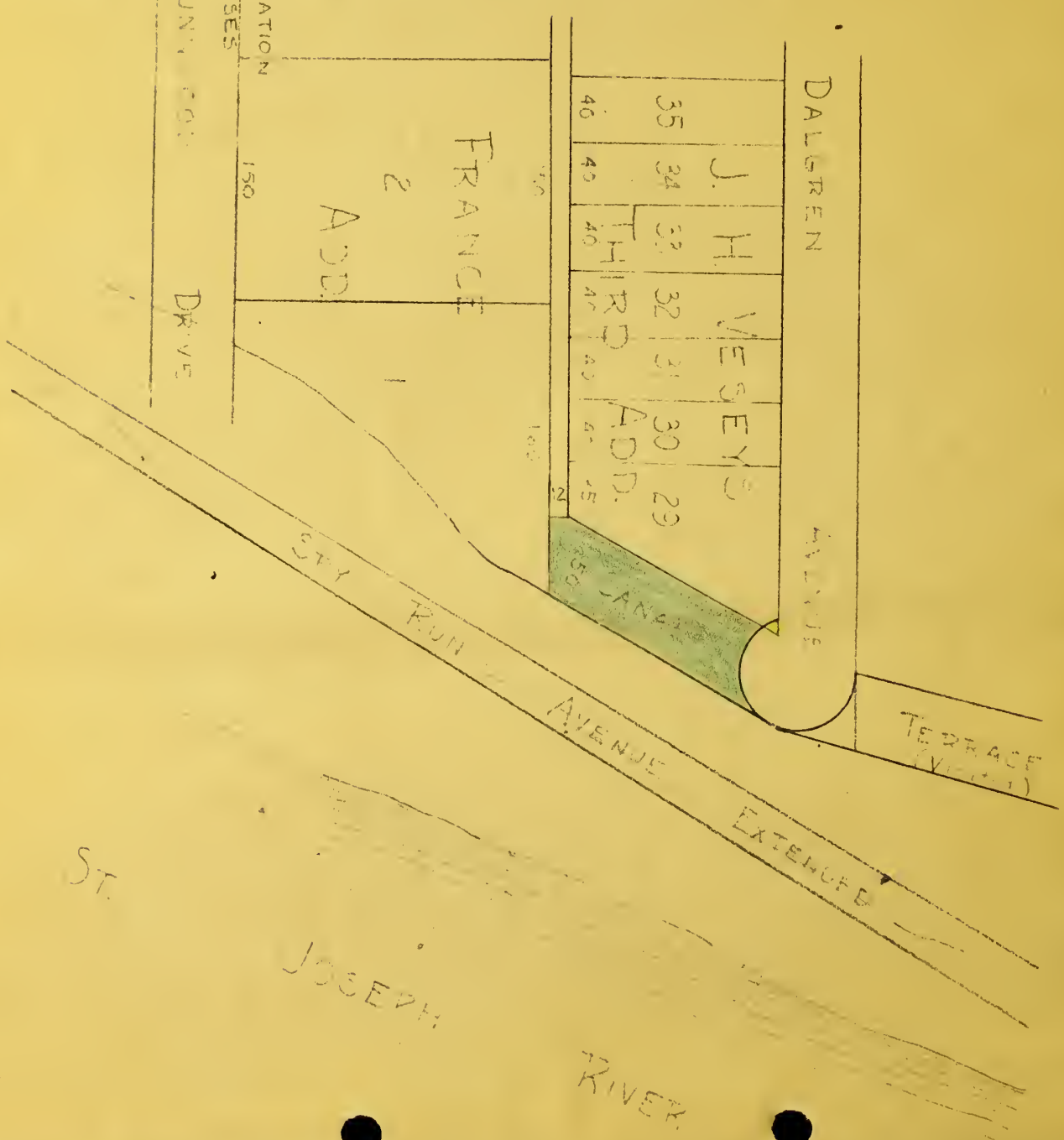
The 1st alley South Dalgren ave, dead ends at the East property line of lot 29, and would remain the same if the vacation is granted. this would enable the new owner to clean up + beautify this portion of Canal Terrace.

A.W. Kellogg Sec

N



- PROPOSED VACATION
- PROPOSED CONDEMNATION FOR STREET PURPOSES



The ~~Cost of said Vacation~~ ~~Open or~~ ~~Condemnation~~ ~~right of way for utility purposes~~ shall be assessed against the property benefited and thereby.

[illegible]

All Streets, lots and lands affected by the above described locations are situated in the
southwest quarter of Section Twenty-five, Township 31 north, Range 4 East and
lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS _____ DAY OF _____ 19____

Secretary Board of Public Works.

Board of Public Works.

STREET RIGHT-OF-WAY TO BE VACATED

Beginning at the intersection of the south line of Dalgren Avenue with the westerly line of Canal Terrace, thence southwesterly along the westerly line of Canal Terrace a distance of 20.6 feet; thence in an easterly direction along the arc of a curve having a 40 foot radius a distance of 83.7 feet to the intersection of the south line of Dalgren Avenue with the easterly line of Canal Terrace, thence west along the south line of Dalgren Avenue a distance of 56.91 feet to the point of beginning.

STREET RIGHT-OF-WAY TO BE VACATED

Beginning at the intersection of the south line of Dalgren Avenue with the westerly line of Canal Terrace, thence southwesterly along the westerly line of Canal Terrace a distance of 20.6 feet; thence in an easterly direction along the Arc of a curve having a 40 foot radius a distance of 83.7 feet to the intersection of the south line of Dalgren Avenue with the easterly line of Canal Terrace, thence west along the south line of Dalgren Avenue a distance of 56.91 feet to the point of beginning.

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

FORT WAYNE 2, INDIANA

October 24, 1958

Mr. Donald E. Bodeker, Office Engineer
City Engineers Office

We have reviewed each of the three proposed vacations referred to in your letter of October 21, 1958. The following is our recommendation in regard to each of the three matters.

1. Canal Terrace, from the south property line of Dalgren Avenue to the south property line of the first alley south of Dalgren Avenue.

In regard to this matter, we refer you to our report dated April 21, 1958 which was in response to a request for an opinion from the Board of Public Works (Board Order No. 183-58).

2. The north five feet and the south five feet of Henry Avenue, from the east property line of Poinsette Drive to a point 226.8 feet east, which is the eastern terminus, making the right-of-way 40 feet.

After reviewing the proposed vacation, both in the field and in the office, it is our opinion that this petition for vacation should be denied for the following reasons:

- a. There are three vacant lots on the north side and three vacant lots on the south side of Henry Avenue, which would have this portion of Henry Avenue as their only means of ingress and egress.

While we realize that possibly all of these lots are under one ownership, there is always a possibility that they would be sold off as building lots since they are platted as such.

- b. A 40 foot right-of-way would not be adequate for a street, with proper improvement and

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

2

FORT WAYNE 2 INDIANA

page 2

adequate park strips.

3. The first alley south of Richardson Street from the west property line of Lot No. 4, Rockhill Heirs Addition, Block 24, to the east property line of Lots No. 1 and 11, L.M. Banes Addition.

From a planning standpoint, we have no objection to the vacation of the above described alley for the following reasons:

- a. The alley does not serve any definite purpose at the present time, other than for utilities which will be covered in the engineers report.
- b. All of the garages presently using the portion of the alley not to be vacated would have ample room for turn-around and therefore would not need the eastern part of this alley (part to be vacated) as a means of access or egress.

Respectfully submitted,

CITY PLAN COMMISSION

William J. Jones
William J. Jones
Planning Director

WJJ/pam

OFFICE
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

38-338-15

P. O. # 183 - '58

Date April 21, 1958

To City Plan Director

Subject Vacating - Canal Terrace

from the south property line of Dalgren Avenue to the south property line of the first alley south of Dalgren Avenue.

Please prepare an Opinion.

S/ E. J. Swanson
S/ John Cooper
S/ Orin M. Darling
BOARD OF PUBLIC WORKS

JLH:c
encl. petition

Signed

Reply: Gentlemen:

agenda - 5-1-58
RECEIVED
APR 30 1958
RECEIVED

We would like to suggest that Canal Terrace, south of Dalgren Avenue could be vacated provided however, that a sufficient amount of space, as shown by the accompanying sketch, be retained in order to provide room for a cul-de-sac. A Cul-de-sac would be beneficial in this particular location since Dalgren Street does dead-end at this particular point and access to Swanson Blvd. is highly improbable since the elevation of Dalgren Avenue at this point is approximately 10 feet higher than Swanson Blvd. Also, the east right-of-way line of Canal Terrace is very near to the west edge of the improvement of Swanson Blvd., and as such, sufficient space should be maintained in order to provide maintenance of the bank sloping down to Swanson Blvd. The accompanying sketch will show a suggested right-of-way line for the cul-de-sac.

Enclosure

Signed William Jones Very truly yours,

May 5/1/58

SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

PROPERTY TO BE ACQUIRED FOR STREET RIGHT-OF-WAY

Beginning at the northeast corner of the aforesaid Lot No. 29,
thence ~~southeasterly~~^{WESTERLY} along the easterly line of said lot, being
the westerly line of Canal Terrace, with an interior angle of 61
degrees, 27 minutes to the south property line of Dalgren Avenue
a distance of 20.6 feet, thence in a northwesterly direction along
the Arc of a curve having a 40 foot radius a distance of 21.1 feet,
thence east along the north line of said Lot^{No.} 29, being the south
property line of Dalgren Avenue, a distance of 20.35 feet to the
point of beginning.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

38-338-15

B. O. # 183 - '58

Date April 21, 1958

To City Plan Director

Subject Vacating - Canal Terrace

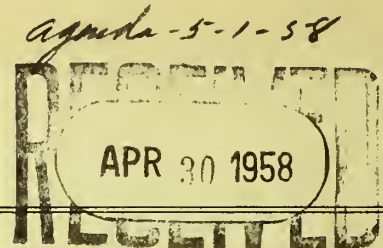
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Signed *William Jones*

Very truly yours,

Wiley 5/1/58

SENDER - REMOVE & KEEP ONE COPY - RECIPIENT - ANSWER KEYS 2ND COPY & RETURN 1ST COPY TO SENDER

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

RECEIVED 2

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FORT WAYNE 2 INDIANA

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CITY PLAN COMMISSION

William J. Jones
William J. Jones
Planning Director

AJJ, pam

